

REMARKS

Claims 3, 5, 9, 12, 16, 36, and 37 are currently pending in the application. Applicants request reconsideration of the application in light of the following remarks.

Telephone Interview

Applicant's attorney wishes to thank the Supervisory Patent Examiner D. Stodola for his courtesy and time during a telephone interview that was held on or about December 22, 2004. The Examiner's comments and insight were very helpful in preparing this response. It is believed that the comments below reflect the spirit of the interview.

Terminal Disclaimer

The Supervisory Patent Examiner indicated that the terminal disclaimer previously provided was sufficient and acceptable in response to the previous double patenting rejection. Firstly, the power of attorney filed October 12, 2004 makes the undersigned of record. Secondly, all of the members of the firm Schmeiser, Olsen & Watts that are registered with the USPTO are authorized to sign terminal disclaimers on behalf of any of our clients.

Objections to Claims 3, 5, 9, 12, 16, 36, and 37

The Examiner has objected to claims 3, 5, 9, 12, 16, 36, and 37 for informalities. In particular, the status identifiers of these claims were pointed out as being improper. The clean copy of the claims now includes the identifier "Previously presented" as required by the Examiner.

The Examiner has also objected to claims 3, 5, 9, 12, and 16 as not having a reference to a claim previously presented. However, in the telephone interview, the Supervisory

Patent Examiner confirmed that dependence of these claims on a claim that has a higher numerical value is acceptable. Therefore, the objection to these claims has been obviated. Applicant respectfully requests that the objections to claims 3, 5, 9, 12, and 16 be withdrawn.

Indication of Condition for Allowance

Applicant wishes to thank the Examiner for the indication of condition for allowance for the above referenced application but for the few formal matters. Applicants believe that all formal matters have been resolved, that the application is in condition for allowance, and respectfully request the same.

Double Patenting Rejection

Please refer to previous response filed October 7, 2004 and the remarks in the section labeled "Terminal Disclaimer" above.

Confirmation of Allowed Claims

Applicants wish to thank the Examiner for his confirmation of the patentable subject matter of claims 3, 5, 9, 12, 16, 36, and 37. All formal matters have been addressed and the case is now considered in condition for allowance.

Regarding Doctrine of Equivalents

Applicants hereby declare that any amendments herein that are not specifically made for the purpose of patentability are made for other purposes, such as clarification, and that no such changes shall be construed as limiting the scope of the claims or the application of the Doctrine of Equivalents.

CONCLUSION

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

If any fees, including extension of time fees or additional claims fees, are due as a result of this response, please charge Deposit Account No. 19-0513. This authorization is intended to act as a constructive petition for an extension of time, should an extension of time be needed as a result of this response. The examiner is invited to telephone the undersigned if this would in any way advance the prosecution of this case.

Respectfully submitted,

By 

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